No. [illegible]

STATE OF FLORIDA, [illegible]
MAMIE EATON-[illegible]
[illegible] ET AL., APPELLANTS,

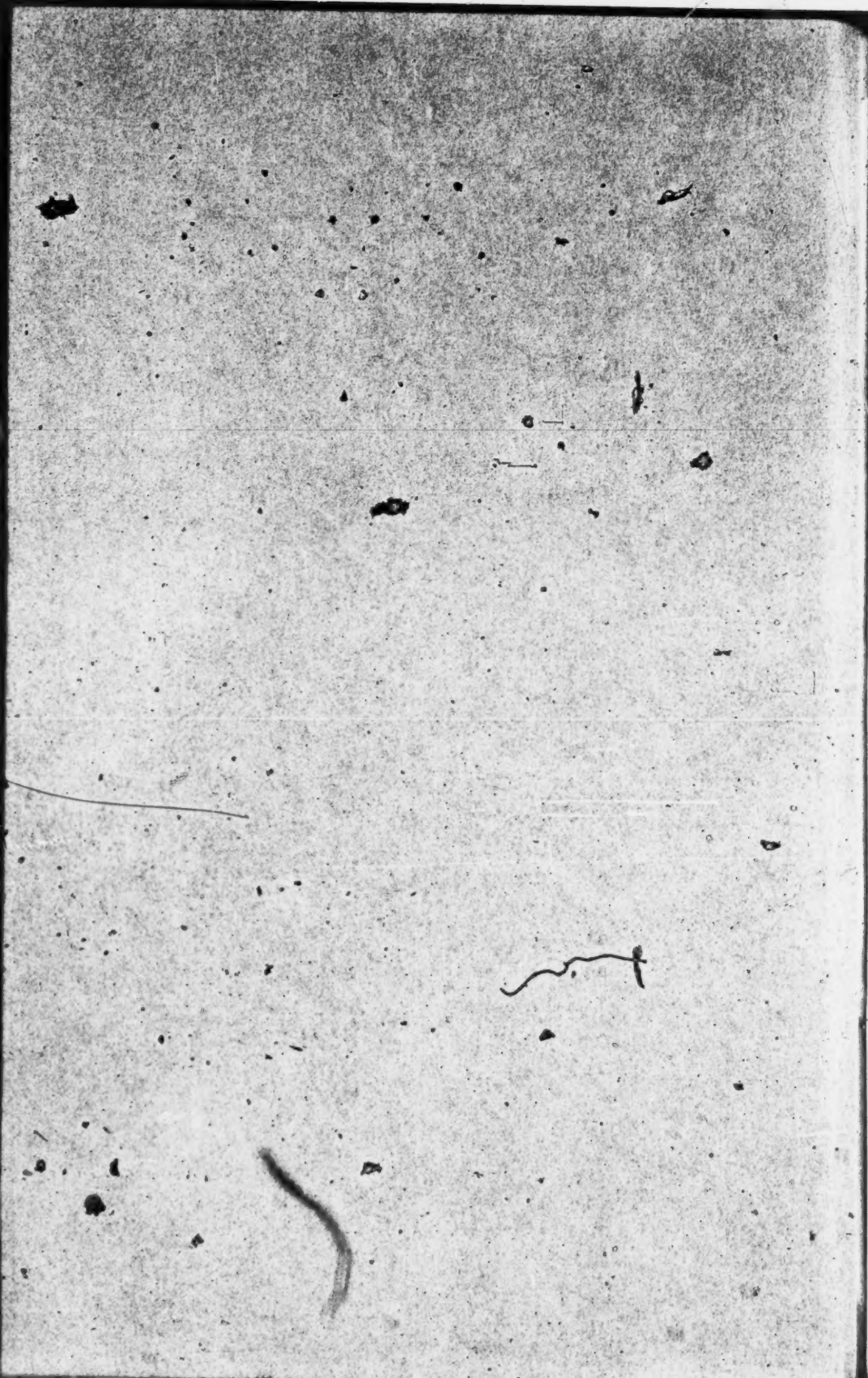
vs.

THE UNITED STATES OF AMERICA, [illegible]
COMMERCE COMMISSION, [illegible]
SERVICE COMMISSION, [illegible]
LINE RAILROAD COMPANY.

APPEAL FROM THE [illegible]
THE [illegible]

STATEMENT AS TO [illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]



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SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1933

No. 342

STATE OF FLORIDA, EUGENE S. MATTHEWS, MAMIE EATON-GREENE, AND W. B. DOUGLASS, ETC., ET AL., APPELLANTS,

vs.

THE UNITED STATES OF AMERICA, INTERSTATE COMMERCE COMMISSION, GEORGIA PUBLIC SERVICE COMMISSION, AND ATLANTIC COAST LINE RAILROAD COMPANY.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF GEORGIA.

JOINT AND SEVERAL STATEMENT BY COMPLAINANTS OF THE JURISDICTION OF THE SUPREME COURT OF THE UNITED STATES TO REVIEW UPON APPEAL THE ABOVE ENTITLED CONSOLIDATED CAUSE.

(a) The Statutory Provisions Sustaining the Jurisdiction.

The complainants, jointly and severally, rely upon Section 238 of the Judicial Code as amended by the Act of

Congress of February 13, 1925 (Chapter 229, 43 Stat. 938), and also the Urgent Deficiencies Act of October 22, 1913 (Chapter 32, 38 Stat. 219, 220), as sustaining the jurisdiction of the Supreme Court of the United States to review the above entitled consolidated cause upon appeal.

(b) The Decree Sought to be Reviewed.

The decree appealed from was dated February 24, 1933, and entered February 24, 1933. The petition for appeal is presented April 19, 1933.

(c) The Nature of the Case and of the Rulings of the Court.

These three suits were separately instituted for the purpose of enjoining, setting aside and annulling an order of the Interstate Commerce Commission, dated and filed July 5, 1932, and thereafter amended in certain particulars, in a certain proceeding had before said Interstate Commerce Commission entitled Docket No. 18364, *Georgia Public Service Commission, Complainant,* v. *Atlantic Coast Line Railroad Company, Defendant* (reported in 186 I. C. C. 157, and a second report being reported in 190 I. C. C. 588), which said order required the said railroad company to establish, put in force and maintain in intrastate commerce within and throughout the State of Florida certain rates for the transportation of logs.

These suits were filed for the purpose of attacking said order of July 5, 1932, as amended by order of July 28, 1932, of said Interstate Commerce Commission and were heard before the specially constituted district court comprised of Circuit Judge Sibley and District Judges Underwood and Strum. After the filing of the suits and a hearing therein,

but before any final decree or opinion was rendered therein, the Interstate Commerce Commission by an order dated October 21, 1932, reopened said proceeding before it and suspended the operation of its said order of July 5, 1932. Thereafter further proceedings were had before said Interstate Commerce Commission in said Docket No. 18364, and on January 9, 1933, said Commission made and filed a second report and order in said proceeding vacating and setting aside its said order of October 21, 1932, which suspended the operation of said order of July 5, 1932, and in and by said order of January 9, 1933, ordered and directed that said order of July 5, 1932, as amended by order of July 28, 1932, should remain in full force and effect after February 11, 1933. Afterwards said trial court permitted the complainants to file supplemental bills of complaint and said three suits were consolidated. Thereafter, upon the hearing of said consolidated causes, the said judges comprising said trial court concurred in an unanimous opinion, and on February 24, 1933, made and entered said final decree, by which the said trial court, pursuant to said last described opinion, sustained the order of July 5, 1932, of the Interstate Commerce Commission and the order of the Interstate Commerce Commission confirming the same made January 9, 1933, and denied the relief sought in said three suits as consolidated as aforesaid.

(d) Cases Sustaining the Jurisdiction.

Florida v. *United States*, 282 U. S. 194;

Baltimore & O. R. Co. v. *United States*, 277 U. S. 291;

St. Louis & O'Fallon R. Co. v. *United States*, 279 U. S. 461;

Houston E. & W. T. R. Co. v. *United States*, 234 U. S. 342;

New York v. *United States*, 257 U. S. 591.

Respectfully submitted,

CARY D. LANDIS,
Attorney General of the State of Florida.
T. T. TURNBULL,
Special Counsel for Florida Railroad Commission.
HENRY P. ADAIR,
AUGUST G. GUTHEIM,
J. V. NORMAN,
C. G. ASHBY,
Solicitors for Wilson Cypress Company and Wilson Lumber Company of Florida.
JULIAN E. FAST,
F. C. HILLYER,
Solicitors for F. S. Buffum Company, Incorporated.